



VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1, of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9VAC5-80-50 through 9VAC5-80-300, of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: **Cellofoam North America, Inc.**
Facility Name: **Cellofoam North America, Inc.**
Facility Location: **326 McGhee Road
Winchester, Frederick County, Virginia 22603**

Registration Number: **81111**
Permit Number: **VRO81111**

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act

Effective Date: **August 1, 2021**

Expiration Date: **July 30, 2026**

Signature Date: **July 30, 2021**

A handwritten signature in blue ink, appearing to read "BK Hill", is written over a faint circular stamp.

Deputy Regional Director

Table of Contents, page 1

Permit Conditions, pages 4 through 18

Table of Contents

Facility Information.....	2
Emission Units.....	3
Expanded Polystyrene Manufacturing	4
LIMITATIONS.....	4
MONITORING	6
RECORDKEEPING.....	7
TESTING	8
Insignificant Emission Units	8
Permit Shield & Inapplicable Requirements	9
General Conditions	10

Facility Information

Permittee

Cellofoam North America, Inc.
1977 Weaver Court
Conyers, Georgia 30013

Responsible Official

Mr. Tom La Grassa
Chief Operating Officer
Cellofoam North America Inc.

Facility

Cellofoam North America, Inc. - Winchester
326 McGhee Road
Frederick County, Virginia

Contact Person

Mr. Kevin Miller
Compliance Officer
770-860-4172

Federal Identification Number: VA0000005106900101

Facility Description:

SIC Code 3086 – Plastic Foam Products
NAICS 326140 – Polystyrene Foam Product Manufacturing

Cellofoam North America, Inc. (Cellfoam or the facility) manufactures molded foam boards for insulation. The boards are made of expandable polystyrene (EPS) beads. EPS beads are placed in a pre-expander where the beads are steam heated and expand due to the pentane blowing agent in the beads. After expansion the beads are transferred to a fluidized bed dryer where excess steam is removed with hot air. Beads are placed in storage silos, and from storage are molded into blocks. The blocks are then cut into different board shapes and sizes. Some of the cut board material is laminated to other materials. Pollution sources at the facility include the pentane blowing agent, which is a volatile organic compound (VOC). The pentane VOC is emitted throughout the process. Other VOC emissions result from organic solvent evaporation from molding binders and from the adhesives used in the lamination process.

Emission Units

Process Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
PE-1	PE-1	Pre-expander / Dryer, Dingledein Model VA-K-2000 (1989)	3,000 lb/hr	--	--	--	6/3/2019, as amended 6/4/2020
PE-2	PE-2	Batch Pre-expander / Dryer	2,200 lb/hr	--	--	--	6/3/2019, as amended 6/4/2020
M-1	M-1	Molding Machine – Wieser (1989)	3,000 lb/hr	--	--	--	6/3/2019, as amended 6/4/2020
M-2	M-2	Block molding machine	3,195 lb/hr	--	--	--	6/3/2019, as amended 6/4/2020
EBS-1	V1 and V2	Bead Storage – Custom storage bin (1989)	5,200 lb/hr	--	--	--	6/3/2019, as amended 6/4/2020
HB-1	HB-1	Seven Hot Boxes (1989)	28 parts/hr	--	--	--	6/3/2019, as amended 6/4/2020

*The Size/Rated capacity and PCD efficiency is provided for informational purposes only, and is not an applicable requirement.

Expanded Polystyrene Manufacturing

Limitations

1. Emission Controls – Volatile Organic Compound (VOC) emissions from the expanded polystyrene manufacturing facility shall be controlled by the use of polystyrene beads not exceeding a VOC content of 6.5 percent by weight on a 12-month rolling average basis. (9VAC5-80-110 and Condition 1 of the 6/3/2019 Permit, as amended 6/4/2020)
2. Throughput – The annual VOC throughput from the expanded polystyrene manufacturing equipment (Ref. PE-1, PE-2, EBS-1, M-1, M-2, and HB-1) shall not exceed 220.0 tons, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months. (9VAC5-80-110 and Condition 3 of the 6/3/2019 Permit, as amended 6/4/2020)
3. Emission Limits - Emissions from the operation of the Batch Pre-expander / Dryer (Ref. PE-2) shall not exceed the limits specified below:

Volatile Organic Compounds (VOC) 40.0 tons/yr

Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period. These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 1, 2, 8, and 12.

(9VAC5-80-110 and Condition 4 of the 6/3/2019 Permit, as amended 6/4/2020)

4. Emission Limits - Emissions from the operation of the block molding machine (Ref. M-2) shall not exceed the limits specified below:

Volatile Organic Compounds (VOC) 32.0 tons/yr

Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period. These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 1, 2, 8, and 12.

(9VAC5-80-110 and Condition 5 of the 6/3/2019 Permit, as amended 6/4/2020)

5. Emission Limits - Emissions from the operation of the Bead Storage (Ref. EBS-1) shall not exceed the limits specified below:

Volatile Organic Compounds (VOC) 81.2 tons/yr

Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period. These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 1, 2, 8, and 12.

(9VAC5-80-110 and Condition 6 of the 6/3/2019 Permit, as amended 6/4/2020)

6. Emission Limits - Total emissions from the operation of the expanded polystyrene manufacturing equipment (Ref. PE-1, PE-2, EBS-1, M-1, M-2, and HB-1) shall not exceed the limits specified below:

Volatile Organic Compounds (VOC)

220.0 tons/yr

Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period. These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 1, 2, 9, and 12.

(9VAC5-80-110 and Condition 7 of the 6/3/2019 Permit, as amended 6/4/2020)

7. Maintenance/Operating Procedures – At all times, including periods of start-up, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance;
- b. Maintain an inventory of spare parts;
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum; and
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

(9 VAC 5-80-110 and Condition 18 of the 6/3/2019 Permit, as amended 6/4/2020)

Monitoring

8. Emission Calculations – The permittee shall determine compliance with the annual emission limits established in Conditions 3, 4, and 5, by calculating the VOC emissions as follows:

$$E = \frac{(W \times C \times L)}{2000} \times (1 - R)$$

Where:

- E = VOC emissions from the process in tons per month.
W = The pounds of polystyrene beads processed in the month.
C = The average weight fraction of VOC content of the polystyrene beads processed in the month.
L = Percentage of VOC lost for an individual emission unit expressed as a weight fraction, as determined by the Pentane emission profile listed in Condition 10.g as follows:
- Block molding (M-2) = 0.246
- Pre-expansion (PE-2) = 0.308
- Storage areas (EBS-1) = 0.369
R = The weight fraction of VOC retained in the final product as determined by retention testing required in Condition 12 as applicable, and approved by DEQ. The most recent DEQ-approved value for R shall be used (with hotbox processing or without hotbox processing).

Annual amounts shall be calculated monthly as the sum of each consecutive 12-month period. These records shall be available on site for inspection by DEQ and shall be current for the most recent five years.

(9VAC5-80-110 and Condition 8 of the 6/3/2019 Permit, as amended 6/4/2020)

9. Emission Calculations – The permittee shall determine compliance with the emission limits established in Condition 6 by calculating the monthly VOC emissions as follows:

$$E = \sum_{i=1}^n \frac{(W_i \times C_i)}{2000} \times (1 - R)$$

Where:

- E = VOC emissions in tons per month.
W_i = The pounds of an individual lot of polystyrene beads processed in the month.
C_i = The weight fraction VOC content of the polystyrene beads for an individual lot.
R = The weight fraction of VOC retained in the final product as determined by retention testing required in Condition 12 as applicable, and approved by

DEQ. The most recent DEQ-approved value for R shall be used (with hotbox processing or without hotbox processing).

Annual amounts shall be calculated monthly as the sum of each consecutive 12-month period. These records shall be available on site for inspection by DEQ and shall be current for the most recent five years.

(9VAC5-80-110 and Condition 9 of the 6/3/2019 Permit, as amended 6/4/2020)

Recordkeeping

10. On Site Records – The permittee shall maintain records of emissions data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the DEQ. These records shall include, but are not limited to:
 - a. Monthly and annual records of the amount of polystyrene beads used in pounds, weight percent VOC content of each individual lot of polystyrene beads used in pounds, and the average VOC content by weight of the polystyrene beads used in pounds. Annual amounts shall be calculated monthly as the sum of each consecutive 12-month period.
 - b. Globally Harmonized System Safety Data Sheets, Material Safety Data Sheets, Certified Product Data Sheets, or other vendor information as approved by DEQ, showing the VOC content for each lot of polystyrene beads used.
 - c. DEQ-approved retention factor and retention factor test results.
 - d. Calculations of monthly and annual VOC emissions to verify compliance with the emission limitations in Conditions 3, 4, and 5. Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period.
 - e. Calculations of monthly and annual VOC emissions to verify compliance with the combined emission limitations in Condition 6. Annual emissions shall be calculated monthly as the sum of each consecutive 12-month period.
 - f. The emission factors, formulas, and methodology, as applicable used to calculate emissions to show compliance with the combined emission limits in Condition 6.
 - g. Pentane Emission Profile for Expanded Polystyrene Foam Manufacturing report, dated March 2009.
 - h. Records of maintenance, operating procedures, and training as required in Condition 7.
 - i. Records of bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment as required in Condition 11.

- j. Results of all retention tests, performance tests, and visible emission evaluations.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9VAC5-80-110 and Condition 13 of the 6/3/2019 Permit, as amended 6/4/2020)

11. Record of Malfunctions – The permittee shall maintain records of the occurrence and duration of any bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment that results in excess emissions for more than one hour. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), corrective action, preventive measures taken and name of person generating the record.
(9 VAC 5-80-110 and Condition 19 of the 6/3/2019 Permit, as amended 6/4/2020)

Testing

12. Testing – No less frequent than once each five-year period, or upon request by the DEQ, or within 60 days of each process or operational change which may affect VOC retention factors for the final products, the permittee shall conduct retention testing to determine the weight fraction of VOC retained in the final product (R), as used in Conditions 8 and 9, after hot box processing and without hot box processing. The testing shall be performed in accordance with South Coast Air Quality Management District (SCAQMD) Test Method 306-91, Analysis of Pentanes in Expandable Styrene Polymers, or other method approved in writing by DEQ. A test protocol shall be submitted at least 30 days prior to testing. Samples taken as required by this permit shall be analyzed in accordance with 1 VAC 30-45, Certification for Noncommercial Environmental Laboratories, or 1 VAC 30-46, Accreditation for Commercial Environmental Laboratories. One copy of the test results shall be submitted to DEQ within 60 days after test completion and shall conform to the test report format enclosed with this permit.
(9 VAC 5-80-180 and Conditions 10 and 11 of the 6/3/2019 Permit, as amended 6/4/2020)
13. Testing - If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate test method(s) in accordance with procedures approved by DEQ.
(9VAC5-80-110 and Condition 12 of the 6/3/2019 Permit, as amended 6/4/2020)
14. Test/Monitoring Ports – The permitted facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Sampling ports, safe sampling platforms, and access shall be provided when requested.
(9 VAC 5-80-110 and Condition 2 of the 6/3/2019 Permit, as amended 6/4/2020)

Insignificant Emission Units

15. Insignificant Emission Units - The following emission units at the facility are identified in the application as insignificant emission units under 9VAC5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9VAC5-80-720B)	Rated Capacity (9VAC5-80-720C)
B-1	Cleaver-Brooks Boiler (natural gas)	9VAC5-80-720 C.2.a	PM ₁₀ , PM _{2.5} , VOC, CO, NO _x , SO ₂	8.369 MMBtu/hr
B-2	Natural gas boiler	9VAC5-80-720 C.2.a	PM ₁₀ , PM _{2.5} , VOC, CO, NO _x , SO ₂	9.0 MMBtu/hr
GT-1	Geotech Steam Coil Heater	9VAC5-80-720 B.2	VOC	3,000 lb/hr
RP-1	Roll Laminator	9VAC5-80-720 B.2	VOC	28 parts/hr
SD-1	Table-top saws and drills for sizing and shaping of final products	9VAC5-80-720 B.1	PM ₁₀ and PM _{2.5}	3,000 lb/hr

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9VAC5-80-110. (9VAC5-80-110)

Permit Shield & Inapplicable Requirements

16. Permit Shield & Inapplicable Requirements - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR Part 60, Subpart DDD	NSPS for VOC Emissions from the Polymer Manufacturing Industry	Cellofoam does not manufacture polystyrene beads.
40 CFR Part 63, Subpart JJJ	NESHAP (major source MACT) for Group IV Polymers and Resins	Cellofoam does not manufacture polystyrene resin and is not a major source of HAP.
40 CFR Part 63, Subpart VVVVVV	NESHAP (area source MACT) for chemical manufacturing facilities	Cellofoam is not a chemical manufacturer.
40 CFR Part 63, Subpart JJJJJ	NESHAP (area source MACT) for industrial boilers	Cellofoam's boilers qualify under the natural gas-fired boiler exemption in Subpart JJJJJ.
40 CFR Part 60, Subpart Dc	NSPS for Small Industrial Steam Generating Units	Cellofoam's boilers have a heat input capacity of less than 10 MMBtu/hr.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9VAC5-80-110 and 9VAC5-80-140)

General Conditions

17. General Conditions - Federal Enforceability - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9VAC5-80-110)
18. General Conditions - Permit Expiration
 - a. This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9VAC5-80-80, the right of the facility to operate shall be terminated upon permit expiration.
 - b. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

- c. If an applicant submits a timely and complete application for an initial permit or renewal under 9VAC5-80-80 F, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9VAC5 Chapter 80, until the Board takes final action on the application under 9VAC5-80-150.
- d. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9VAC5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9VAC5 Chapter 80.
- e. If an applicant submits a timely and complete application under section 9VAC5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9VAC5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
- f. The protection under subsections F 1 and F 5 (ii) of section 9VAC5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9VAC5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)

19. General Conditions - Recordkeeping and Reporting - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

- a. The date, place as defined in the permit, and time of sampling or measurements;
- b. The date(s) analyses were performed;
- c. The company or entity that performed the analyses;
- d. The analytical techniques or methods used;
- e. The results of such analyses; and
- f. The operating conditions existing at the time of sampling or measurement.

(9VAC5-80-110)

20. General Conditions -Recordkeeping and Reporting - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9VAC5-80-110)

21. General Conditions - Recordkeeping and Reporting - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31; and
- b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
 - i. Exceedances of emissions limitations or operational restrictions;
 - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring or periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
 - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semiannual reporting period."

(9VAC5-80-110)

22. General Conditions - Annual Compliance Certification - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

- a. The time period included in the certification. The time period to be addressed is January 1 to December 31;
- b. The identification of each term or condition of the permit that is the basis of the certification;
- c. The compliance status;
- d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance;
- e. Consistent with subsection 9VAC5-80-110, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period;
- f. Such other facts as the permit may require to determine the compliance status of the source; and
- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3_APD_Permits@epa.gov

(9VAC5-80-110)

23. General Conditions - Permit Deviation Reporting - The permittee shall notify the DEQ within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semiannual compliance monitoring report pursuant to Condition 21 of this permit.

(9VAC5-80-110 F. 2)

24. General Conditions - Failure/Malfunction Reporting - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall no later than four daytime business hours after the malfunction is discovered, notify the DEQ such failure or malfunction and within 14 days provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the DEQ.

(9VAC5-80-110 and 9VAC5-20-180)

25. General Conditions - Severability - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9VAC5-80-110)
26. General Conditions - Duty to Comply - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9VAC5-80-110)
27. General Conditions - Need to Halt or Reduce Activity not a Defense - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9VAC5-80-110)
28. General Conditions - Permit Modification - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9VAC5-80-50, 9VAC5-80-1100, 9VAC5-80-1605, or 9VAC5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9VAC80-110, 9VAC5-80-190, and 9VAC5-80-260)
29. General Conditions - Property Rights - The permit does not convey any property rights of any sort, or any exclusive privilege.
(9VAC5-80-110)
30. General Conditions - Duty to Submit Information - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9VAC5-80-110)
31. General Conditions - Duty to Submit Information - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9VAC5-80-80 G.
(9VAC5-80-110)
32. General Conditions - Duty to Pay Permit Fees - The owner of any source for which a permit was issued under 9VAC5-80-50 through 9VAC5-80-300 shall pay annual emissions fees, as

applicable, consistent with the requirements of 9VAC5-80-310 through 9VAC5-80-350 and annual maintenance fees, as applicable, consistent with the requirements of 9VAC5-80-2310 through 9VAC5-80-2350.

(9VAC5-80-110, 9VAC5-80-310 et seq., and 9VAC5-80-2310 et seq.)

33. General Conditions - Fugitive Dust Emission Standards - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:
 - a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
 - b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
 - c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
 - d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
 - e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9VAC5-80-110 and 9VAC5-50-90)

34. General Conditions - Startup, Shutdown, and Malfunction - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9VAC5-80-110 and 9VAC5-50-20 E)

35. General Conditions - Alternative Operating Scenarios - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which

it is operating. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9VAC5 Chapter 80, Article 1.

(9VAC5-80-110)

36. General Conditions - Inspection and Entry Requirements - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
- b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
- c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
- d. Sample or monitor at reasonable times' substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9VAC5-80-110)

37. General Conditions - Reopening for Cause - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9VAC5-80-80 F. The conditions for reopening a permit are as follows:

- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9VAC5-80-110 D.

(9VAC5-80-110)

38. General Conditions - Permit Availability - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9VAC5-80-110 and 9VAC5-80-150)

39. General Conditions - Transfer of Permits

- a. No person shall transfer a permit from one location to another, unless authorized under 9VAC5-80-130, or from one piece of equipment to another.
- b. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9VAC5-80-200.
- c. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9VAC5-80-200.

(9VAC5-80-110 and 9VAC5-80-160)

40. General Conditions - Permit Revocation or Termination for Cause - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9VAC5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.

(9VAC5-80-110, 9VAC5-80-190 C, and 9VAC5-80-260)

41. General Conditions - Duty to Supplement or Correct Application - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9VAC5-80-110 and 9VAC5-80-80 E)

42. General Conditions - Stratospheric Ozone Protection - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(9VAC5-80-110 and 40 CFR Part 82)

43. General Conditions - Asbestos Requirements - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9VAC5-60-70 and 9VAC5-80-110)
44. General Conditions - Accidental Release Prevention - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(9VAC5-80-110 and 40 CFR Part 68)
45. General Conditions - Changes to Permits for Emissions Trading - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9VAC5-80-110)
46. General Conditions - Emissions Trading - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
 - a. All terms and conditions required under 9VAC5-80-110, except subsection N, shall be included to determine compliance.
 - b. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
 - c. The owner shall meet all applicable requirements including the requirements of 9VAC5-80-50 through 9VAC5-80-300.

(9VAC5-80-110)